

**Amendment Number 1**  
**to**  
**Contract Number DIR-TSO-3956**  
**between**  
**State of Texas, acting by and through the Department of Information Resources**  
**and**  
**Berry, Dunn, McNeil & Parker, LLC dba Berry, Dunn, McNeil & Parker, PLLC**

This Amendment Number 1 to **Contract** Number **DIR-TSO-3956** ("**Contract**") is between the Department of Information Resources ("DIR") and Berry, Dunn, McNeil & Parker, LLC dba Berry, Dunn, McNeil & Parker, PLLC. ("**Vendor**"). DIR and Vendor agree to modify the terms and conditions of the **Contract** as follows:

1. **Contract, Section 2, Term of Contract**, is hereby amended as follows:

DIR and Vendor hereby agree to extend the term of the Contract for one (1) year through September 8, 2020, or until terminated pursuant to the termination clauses contained in the Contract. The contract will renew automatically in one-year increments for one (1) additional year under the same terms and conditions unless either party provides notice to the other party 60 days in advance of the renewal date stating that the party wishes to discuss modification of terms or not renew. Additionally, the parties by mutual agreement may extend the term for up to ninety (90) additional calendar days.

2. **Contract, Section 6. Notification**, is hereby replaced in its entirety as follows:

If sent to the State:

Kelly Parker, CTPM, CTCM  
Director, Cooperative Contracts  
Department of Information Resources  
300 W. 15<sup>th</sup> St., Suite 1300  
Austin, Texas 78701  
Phone: (512) 475-1647  
Facsimile: (512) 475-4759  
Email: [kelly.parker@dir.texas.gov](mailto:kelly.parker@dir.texas.gov)

If sent to the Vendor:

Charlie Leadbetter  
Principal  
Berry, Dunn, McNeil & Parker, LLC dba BerryDunn  
100 Middle Street  
Portland, Maine 04101  
Phone: (207) 541-2200  
Facsimile: (207) 774-2375  
Email: [pqcv@berrydunn.com](mailto:pqcv@berrydunn.com)

3. **Appendix A, Standard Terms and Conditions for DBITS Services Contracts**, is hereby restated in its entirety and replaced with the attached Appendix A. Standard Terms and Conditions for DBITS Services Contracts dated **01/08/2018**.
4. **Appendix C – DBITS Sample Statement of Work** is hereby replaced in its entirety with the Appendix C – Statement of Work (SOW) Agile and Waterfall template attached to this Amendment 1.

All other terms and conditions of the Contract not specifically modified herein, shall remain in full force and effect. In the event of conflict among the provisions, the order of precedence shall be Amendment Number 1 and then the Contract.

**IN WITNESS WHEREOF**, the parties hereby execute this amendment to be effective as of the date of the last signature, but in all events, no later than September 8, 2019.

**Berry, Dunn, McNeil & Parker, LLC dba Berry, Dunn, McNeil & Parker, PLLC**

**Authorized By:** Signature on file

**Name:** Charles Leadbetter

**Title:** Principal

**Date:** 9/4/2019 | 7:48 AM PDT

**The State of Texas, acting by and through the Department of Information Resources**

**Authorized By:** Signature on file

**Name:** Hershel Becker

**Title:** Chief Procurement Officer

**Date:** 9/4/2019 | 8:11 PM CDT

**Office of General Counsel:** M.H. 9/4/2019 | 1:29 PM CDT